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CASES ON DAMAGES, SELECTED FROM DECISIONS OF ENGLISH AND AMERICAN COURTS (AMERICAN CASE BOOK SERIES). By FLOYD R. MECHEM and BARRY GILBERT. JAMES BROWN SCOTT, GENERAL EDITOR. St. Paul, Minn.: WEST PUBLISHING Co., 1909. pp. xxiii, 626.

This book is dedicated to John Henry Wigmore, Dean of the College of Law of the Northwestern University, and thus speaks of his admirable work; "Whose success as an author and teacher in the Law comes as no surprise to one acquainted with his analytical and constructive genius, his untiring energy and enthusiasm, and the careful painstaking detail of his work."

Mr. Gilbert is chiefly responsible for this Case Book. The preface states that one hundred and fifty of the cases are taken from an earlier collection of two hundred and sixty-three cases made by Mr. Mechem, adding, "For the exclusion of the other one hundred and thirteen cases omitted, for the entire rearrangement in scheme, outline, preface, and index, for the cutting of all cases which are included, for the annotations, restatements of the facts, and cross-references, and for the selection of the one hundred and eighty-four new cases which have been added, the other collaborator must take the entire responsibility."

It would appear therefore, that little more credit is due to Mr. Mechem than to Mr. Beale, one-third of the cases in Beale's Cases on the Measure of Damages, published in 1895, appearing in the new collection. Substantially the same topics are treated as in Mr. Beale's collection, and in nearly the same order.

A considerable number of cases cited in the notes are not indexed. It is to be hoped that the indexing in the later volumes of this series will be more carefully done. The compiler has sought to cut out all irrelevant matter from the cases as may be seen from the fact that the average length of the cases given is less than two pages. In consequence of this, in a considerable number of instances the result of the litigation reported can only be known by a process of inference, difficult for the average student to make. It is to be regretted that the actual decision of the case is not always given.

That more new cases do not appear is a disappointment. Apparently little progress has been made by the Courts toward clearing up the many difficult questions relative to Damages. A hasty enumeration shows that fourteen cases decided in 1896 appear in the collection, but that only nineteen cases, decided since that time, are included, only one of which is subsequent to 1903. The principal jurisdictions represented are: England fifty-seven cases; New York thirty-nine; Massachusetts twenty-four; Michigan eighteen; Iowa eighteen; Wisconsin fifteen; United States Supreme Court fifteen. Of the English cases, twenty-one were decided in the nineteen years between 1855 and 1874. Apparently this was a great formative period in this branch of the Law, and comparatively little advance would seem to be made since, or possibly later English cases have not so strongly affected American Law. The last English case appearing in the collection was decided more than twenty years ago.

As a whole the cases appear to be well chosen, and the collection will undoubtedly prove to be a serviceable one.

A. H. Jr.